

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 5:09CR274</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE PETER C. ECONOMUS</b>
	)	
<b>v.</b>	)	
	)	
<b>JOEL VENEGAS-CRUZ,</b>	)	<b>MEMORANDUM OPINION</b>
	)	<b>AND ORDER</b>
<b>Defendant.</b>	)	

This matter is before the Court upon Magistrate Judge Benita Y. Pearson's Report and Recommendation that the Court ACCEPT Defendant Joel Venegas-Cruz's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Dkt. # 14.)

On June 2, 2009, a Criminal Complaint was filed against the Defendant. (Dkt. # 1.) Also on June 2, 2009, the Defendant signed a Waiver of Indictment. (Dkt. # 7.) On June 16, 2009, the government filed an Information against the Defendant. (Dkt. # 9.) On June 17, 2009, the Court issued an order referring this case to Magistrate Judge Pearson for the purposes of arraignment and of receiving Defendant's guilty plea. (Dkt. # 10.)

On June 26, 2009, a hearing was held in which Defendant proffered a plea of guilty to Count One, the sole count in the Information. (Dkt. # 14.) Magistrate Judge Pearson received Defendant's guilty plea and issued a Report and Recommendation,

recommending that the Court accept the plea and enter a finding of guilty. (Dkt. # 14.) Neither party objected to the Magistrate Judge's Report and Recommendation in the ten days after it was issued.

On *de novo* review of the record, the Magistrate Judge's Report and Recommendation is adopted. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds that the plea was entered knowingly, intelligently, and voluntarily. The Defendant's plea of guilty is approved.

Therefore, the Defendant is adjudged guilty of the charge contained within the Information. The sentencing will be held on July 27, 2009, at 1:30 p.m.

**IT IS SO ORDERED.**

/s/ Peter C. Economus - July 17, 2009  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**